

21 C.J.S. Courts § 143

Corpus Juris Secundum | May 2023 Update

Courts

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IV. Terms and Sessions

B. Terms

2. Extension or Adjournment of Terms

§ 143. Continuance, extension, or temporary adjournment

[Topic Summary](#) | [References](#) | [Correlation Table](#)

West's Key Number Digest

West's Key Number Digest, [Courts](#)  66(1) to 66(6), 66.1

Any applicable statutes must be complied with in making a continuance, extension, or temporary adjournment for the purpose of keeping the term active.

In making a continuance, extension, or temporary adjournment for the purpose of keeping the term alive, there must be a compliance with any applicable statutes that require a written¹ order² and an entry on the court minutes or records.³

A proper extension of a term, whether regular or special, is not a new term but instead is a prolongation and part of the term that was extended.⁴ When an extended or continued term of court is invalid, all proceedings at that term are void—as where the extension or continuance is unauthorized⁵ or is not made in a proper manner or at a proper time.⁶

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Footnotes

¹ Miss.—[Mississippi & S.V.R. Co. v. Brown](#), 160 Miss. 123, 132 So. 556 (1931).

² Tex.—[Fierro v. State](#), 135 Tex. Crim. 483, 121 S.W.2d 597 (1938).

³ N.Y.—[Reynolds v. Cropsey](#), 241 N.Y. 389, 150 N.E. 303 (1925).

- 4 Miss.—*Watson v. State*, 166 Miss. 194, 146 So. 122 (1933).
- 5 Miss.—*Watson v. State*, 166 Miss. 194, 146 So. 122 (1933).
- 6 Ky.—*Thompson v. Commonwealth*, 266 Ky. 529, 99 S.W.2d 705 (1936).
- Miss.—*Watson v. State*, 166 Miss. 194, 146 So. 122 (1933).

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